



DOCKET NO.: P04756
CLIENT NO.: NATI15-04756
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : PETER J. SALLAWAY, ET AL.
Serial No. : 09/751,037
Filed : December 29, 2000
For : SYSTEMS FOR MONITORING AND CONTROLLING
OPERATING MODES IN AN ETHERNET TRANSCEIVER AND
METHODS OF OPERATING THE SAME
Group No. : 2661
Examiner : Ian N. Moore

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

The undersigned hereby certifies that the following documents:

1. Postcard receipt;
2. Notice of Appeal;
3. Check in the amount of \$500.00 (for the Notice of Appeal filing fee); and
4. Fee Transmittal for FY 2005 (in duplicate)

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 28, 2005.

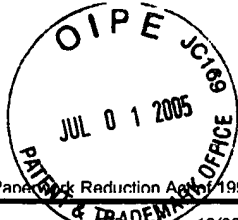
Date: June 28, 2005

Kathy Hamilton
Mailer

Date: June 28, 2005

William A. Munck
Reg. No. 39,308

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: wmunck@davismunck.com



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Patent Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).
Effective on 12/08/2004.

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 500.00)

Complete if Known

Application Number	09/751,037
Filing Date	December 29, 2000
First Named Inventor	Peter J. Sallaway
Examiner Name	Ian N. Moore
Art Unit	2661
Attorney Docket No.	P04756 (NATI15-04756)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-0208 Deposit Account Name: Davis Munck, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 or HP =	x	=				
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Notice of Appeal Fee

Fees Paid (\$)

\$500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	39,308	Telephone	972-628-3600
Name (Print/Type)	William A. Munck	Date	June 28, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



DOCKET NO.: P04756
CLIENT NO.: NATH15-04756
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PETER J. SALLAWAY, ET AL.

Serial No.: 09/751,037

Filed: December 29, 2000

For: SYSTEMS FOR MONITORING AND CONTROLLING
OPERATING MODES IN AN ETHERNET TRANSCEIVER
AND METHODS OF OPERATING THE SAME

Group No.: 2661

Examiner: Jan N. Moore

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL

The Applicants hereby appeal to the Board of Appeals from the decision of the Examiner in the Final Office Action dated March 28, 2005 (Advisory Action dated 06/14/2005), finally rejecting Claims 1-38.

A check in the amount of \$500.00 is enclosed in payment of the Notice of Appeal filing fee. The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

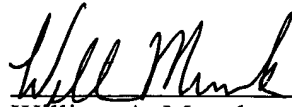
07/05/2005 WABDELRI 00000037 09751037 500.00 DP
01 FC:1401

DOCKET NO. P04756 (NATI15-04756)
U.S. SERIAL NO. 09/751,037
PATENT

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: June 28, 2005
P.O. Drawer 800889
Dallas, Texas 75380
Tel: (972) 628-3600
Fax: (972) 628-3616
E-mail: wmunck@davismunck.com



William A. Munck
Registration No. 39,308